

Protocol for Members in relation to business dealings with the Council

Report of the City Solicitor

1. Introduction and Background

1.1 The Audit and Governance Committee at its meeting on 31 July 2008 considered a report on the proposed disposal of the Council's interest in the Ford and Hylton Club, and made recommendations. Cabinet considered its response to the recommendations at its meeting on 8 October 2008.

1.2 One of the recommendations of the Audit and Governance Committee was, "that the City Solicitor be requested to prepare a protocol on business dealings between the Council and elected Members".

1.3 Accordingly a draft protocol has been prepared for consideration by the Standards Committee, and this is attached to this report.

2. Current position - the approach adopted

2.1 The protocol identifies the relevant provisions contained in the Members' Code of Conduct which are most relevant to such business dealings. These are set out at paragraphs 5, 6 and 7. It is intended to complement but not repeat existing protocols and procedures.

2.2 It is not possible to set out an exhaustive list of business dealings. Instead that issue will be determined by a common sense approach. Illustrations are provided and if a Member is in doubt over the application of the protocol they can seek my advice (see paragraph 2).

3. Proposed procedure

3.1 The aim has been to achieve clarity and transparency.

3.2 It is proposed that any Member proposing to enter into a business dealing with the Council should notify the Chief Executive in writing. The Member will receive a reply setting out the way in which the Council will deal with the matter. Notes will be kept of any meeting which occurs between an officer and a Member in respect of a business dealing and this will be copied to the Chief Executive. Similarly, there is a procedure to give notice of proposed contracts with, or applications for business grants from the Council. (The latter does not include small-scale grants to voluntary bodies given under the Community Chest. Members routinely declare such interests at the Area Committees).

3.3 Proposed business dealings will be reported to this Committee (see paragraph 10).

4. Conclusion

Members are asked to consider the protocol and to decide whether to recommend it be adopted by the Council, with or without modification.